

RICHARD F. BERGNER & ASSOCIATES

**ATTORNEYS AT LAW
5151 SAN FELIPE, SUITE 1950
HOUSTON, TEXAS 77056-3607**

**RICHARD F. BERGNER
rbergner@rflaw.net**

**TELEPHONE (713) 783-4832
FACSIMILE (713) 783-2502**

June 8, 2012

Ms. Michelle Back
Gainco, Inc.
P.O. Box 309
Portland, Texas 78374

In Re: Falcon Refinery

Dear Ms. Back:

For some reason, you have sent to my attention a Gainco, Inc. statement, dated 6-7-2012, reflective of charges in the amount of \$52,783.77. Additionally, in prior e-mail correspondence you have falsely stated that I "owe" Gainco, Inc. for work done on the Falcon Refinery.

As you are aware, the work that Gainco, Inc. has done at the Falcon Refinery was ordered by TRC Companies, Inc. on behalf of National Oil Recovery Corporation, a Delaware corporation.

As you also are aware, I am the attorney for National Oil Recovery Corporation. I did not, however, engage Gainco, Inc. to do the work reflected by the Invoice, nor did I personally guarantee payment for such work. Payments previously made by me were made out of a National Oil Recovery Corporation Trust Account required by the EPA. In view of such, please edit your accounts receivable records to strike my name as a potential payee of Gainco, Inc.'s 6-7-2012 invoice reflected above.

Finally, as I have previously advised Gainco, Inc., the Refinery was sold on February 29, 2012, to Lazarus Texas Refinery I, LLC, with the latter company assuming the payment of all outstanding work at the Refinery, which would include the Gainco, Inc. invoice. I believe you have the contact information for Lazarus Texas Refinery I, LLC.

Obviously if you have any questions on this matter, I will be happy to communicate with either you or your counsel in order to clear up the matter.

Very truly yours,


Richard F. Bergner

RFB:sjh